

Tribal Consultation Action Plan

May 2022 to May 2023

The Department of Children and Families and the Federally-recognized Indian Tribes headquartered in Wisconsin held a consultation meeting on May 10, 2022. This Action Plan is the result of that consultation meeting. The plan is a set of mutually agreeable short and long term strategies to address issues of interest to Tribes. The Department and the Tribes headquartered in Wisconsin agree to collaborate on these strategies and provide staff support as required to successfully achieve these outcomes by May 2023.

<p>Item 1: eWiSACWIS – Tribal Access Workgroup</p>	<p><i>Responsible Party:</i> Division of Safety and Permanence</p> <p><i>In collaboration with:</i> ICW Directors</p>
<p><i>History:</i></p> <p>At the 2022 Consultation, DCF presented next steps in providing additional access to eWiSACWIS. DCF announced the creation of a workgroup with tribes that will focus on developing a customized solution for tribes to receive data/information about Indian children, manage cases and provide information/data to counties.</p>	
<p><i>Outcome:</i></p> <p>DCF established this workgroup, consisting of tribal workers who are interested in developing a solution for additional access. The initial meeting was held in September 2022. During this initial meeting, the workgroup was provided background information about why the development of this workgroup is important and the goals to be accomplished. The workgroup also discussed the needs of an electronic case management system, and the identification of other important areas to be covered in future meetings.</p> <p>In follow up conversations, the workgroup discussed the most desired functions of an electronic case management as well as explored what systems are currently being utilized. Tribes described various needs for an electronic case management system which would present challenges for DCF to design, implement, and maintain. At this time, the most cost-effective option is to provide tribal workers access to the current system through a county, which would require a MOU between a county and a tribe.</p>	
<p><i>Resources:</i></p>	
<p>Item 2: Explore modification to existing policy and statute that would direct county agencies to provide copies of services reports to tribes.</p>	<p><i>Responsible Party:</i> Division of Safety and Permanence</p> <p><i>In collaboration with:</i> ICW Committee</p>

History:

At the 2022 Tribal Consultation, tribes were interested in exploring automated notice of services reports and CPS reports via the eWiSACWIS system. Tribes expressed a desire to have services reports added to the required reports to be shared with tribes under DSP Numbered Memo: 2012-08 - Notifying Tribal Indian Child Welfare Agencies of Child Protective Services Reports and Wis Stats: 48.981(3)(bm).

Outcome:

After consulting with the Intertribal Child Welfare (ICW) Committee, the Wisconsin County Human Service Association (WCHSA), and DCF's Office of Legal Counsel (OLC), DCF updated the 2012-08 numbered memo and standards. The new policy will require local child welfare agencies to notify the appropriate tribe or band of CPS reports (screened-in or screened-out) and Child Welfare Services Reports (screened-in or screened-out) pertaining to a child or unborn child whom the agency knows or has reason to know is an Indian Child. The proposed policy was sent to the ICW Committee and WCHSA for the required 45-day review and will be released June 2023.

Resources:

Item 3: Explore eWiSACWIS automation for notice to tribes regarding Child Protective Services Reports and Child Welfare Services Reports

Responsible Party:
Division of Safety and Permanence
In collaboration with:
ICW Committee

History:

At the 2022 Tribal Consultation, tribes requested that DCF explore the viability of using eWiSACWIS to automate notice of child welfare services reports and child protection services reports to tribes. Under DSP Numbered Memo: 2012-08 - Notifying Tribal Indian Child Welfare Agencies of Child Protective Services Reports and Wis Stats: 48.981(3)(bm) counties are required to provide notice to tribes for Child Protective Service Reports; however, this is not happening routinely. This lack of notice results in tribes not being aware of referrals for families and prevents tribes from intervening early and offering services. Should Action Item 2 (Explore modification to existing policy and statute that would direct county agencies to provide copies of services reports to tribes) be permissible, tribes would like to add Child Protective Services Reports to the list of automated reports for notice to be provided via eWiSACWIS.

Outcome:

DCF has prioritized an update to the eWiSACWIS system that will automate a message to county and tribal child welfare agencies when a child welfare service report or CPS report is received, and a screening decision has been made. The Intertribal Child Welfare Committee and the Wisconsin County Human Service Association were consulted regarding this automation and proposed notification language. The automated notice will be included in the June 10, 2023 eWiSACWIS release.

Resources:

Item 4: Tribal Consultation on Kinship Care

Responsible Party:

Division of Safety and Permanence
Office of Budget and Policy
DCF Tribal Liaison – Stephanie Lozano

In collaboration with:

Tribal Leaders and delegates

History:

At the 2022 Tribal Consultation, Tribal leaders spoke about their concerns with the Kinship Care Program. DCF and the Tribal Leaders agreed that additional discussion and collaboration was needed and a Tribal Consultation Meeting focusing on Kinship Care would be the best approach to ensuring that all necessary parties were present including leadership and subject matter experts from both DCF and Tribal Nations.

Areas of exploration that were identified include:

- Increasing the payment to kinship providers
- System supports for kinship providers and children
- Expanding the definition of relative to include tribal definitions
- Parity with foster homes

Outcome:

A day-long Tribal Kinship Care Consultation meeting was held August 16, 2022, at the Lake of the Torches Resort Casino in Lac du Flambeau. The day was filled with a meaningful discussion regarding the Kinship Care system. Concerns regarding the definition of a relative, application process, and financial supports to relatives were discussed at length. A Tribal Kinship Care Consultation Action Plan was formulated as a result of the Tribal Kinship Care Consultation meeting.

Since that time, and as a direct result of the Tribal Kinship Care Consultation, DCF worked with the Governor’s office to include in the Governor’s budget proposal (1) an increase to the allocation that bring the kinship care rates in better alignment with foster care rates and provides rates increases as the child ages and (2) the expanded definition of a relative to include a tribe’s definition(s) of relative. This definition acknowledges a tribe’s autonomy to define relative based on tribal code or custom.

As a result of the Tribal Kinship Care Consultation, DCF began meeting with the Tribal Kinship Care Coordinators on January 18, 2023. A second meeting was held on May 22, 2023 with plans to meet regularly.

Resources:

<https://dcf.wisconsin.gov/files/press/2023/23-25-dcf-gov-summary.pdf>